

MEMORANDUM OF AGREEMENT  
BETWEEN  
NSWC CRANE AND AFGE LOCAL 1415  
  
DRUG-FREE WORKPLACE (DFWP)

1. The parties agree to negotiate and implement a comprehensive drug testing program which will preserve the dignity of our employees, provide an employee assistance program, and send a clear message that the use of illegal drugs will not be tolerated.
2. There will be one sample taken which will be sent to the designated testing laboratory. If the testing laboratory verifies a positive test, the employee will be detailed from the TDP. At the employee's expense, he/she may elect to have the original sample retested at another certified testing facility. If the retest is negative, the employee's detail is terminated and the employee will be made whole for any loss. If the employee does not elect a retest or if the retest is positive, the employee will be suspended from duty for thirty (30) calendar days and will attend mandatory counseling from the CEAP. Upon return to duty, the employee will be retested. If the results are negative, the employee will be tested at selected intervals for the remainder of a twelve (12) month period. If retest is positive, the employee may elect to have the same sample retested at his/her own expense. If the employee does not request a retest or the retest is positive, the employer will initiate a removal action.
3. All testing will be conducted in strict confidentiality to reduce personal humiliation and preserve the emotional and mental well-being of the employees. The Drug Program Coordinator (DPC) will notify the selected employee's first-level supervisor the day of the collection, that the employee needs to report to the test site. If the first level supervisor is unavailable, the next higher level of supervision will be contacted. (The supervisor is not told why the employee is reporting to the test site).
4. Drug related charges alone are insufficient to warrant reasonable suspicion testing. Except in cases where there is agreement between the Commander and the Union President, only convictions of drug-related crimes rendered by judicial systems will be used to support reasonable suspicion for testing of an employee in a designated Testing Designated Positions (TDP).
5. Employees, whose tests are confirmed positive, will be required to obtain only the necessary counseling or rehabilitation as determined by a Counselor who is qualified and certified to evaluate drug use and addiction. The CEAP will provide all required counseling unless there is a valid need for off-Center addiction rehabilitation. In those cases, the CEAP Administrator will work with the counseling service to help ensure the CEAP service works with the employee, insurance carrier, etc. so the employee's rehabilitation requirements do not impose an intolerable financial strain on the employee. After having been found to use illegal drugs, the supervisor will initiate action to remove an employee who refuses to obtain counseling or rehabilitation through the CEAP.

Union: signed/WILLIAM MASON  
President, Local 1415

10/14/96  
Date

Management: signed/STEVE GOOTEE  
NSWC, Executive Director

10/14/96  
Date

RETYPED 21 MAR 02